

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

OTG MANAGEMENT PHL LLC, *et al.*,

Plaintiff,

v.

EMPLOYERS INSURANCE COMPANY  
OF WAUSAU,

Defendant.

Civil Action No.:

2:21-cv-01240-WJM-MF

**ORDER**

**WILLIAM J. MARTINI, U.S.D.J.:**

**THIS MATTER** comes before the Court on Defendant Employers Insurance Company of Wausau's ("Defendant") motion (the "Motion") to dismiss the Complaint for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure ("FRCP") 12(b)(6), ECF No. 14. For the reasons set forth in the accompanying Opinion, **IT IS** on this 26th day of August 2021, **ORDERED** as follows:

1. Defendant's Motion is **GRANTED**.
2. The Complaint is dismissed in its entirety without prejudice.

*/s/ William J. Martini*

**WILLIAM J. MARTINI, U.S.D.J.**